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UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Mi Familia Vota, et al., <div style="text-align: center;">Plaintiffs,</div> <div style="text-align: center;">v.</div> <div style="text-align: center;">Adrian Fontes, in his official capacity as Arizona Secretary of State, et al.,</div> <div style="text-align: center;">Defendants.</div>	No. 2:22-cv-00509-SRB (Lead) STATE AND ATTORNEY GENERAL’S RESPONSE TO PLAINTIFFS’ MOTION TO OVERRULE OBJECTIONS TO DEPOSITION DESIGNATIONS (DOC. 624) (Before the Hon. Susan R. Bolton)
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AND CONSOLIDATED CASES

No. CV-22-00519-PHX-SRB
 No. CV-22-01003-PHX-SRB
 No. CV-22-01124-PHX-SRB
 No. CV-22-01369-PHX-SRB
 No. CV-22-01381-PHX-SRB
 No. CV-22-01602-PHX-SRB
 No. CV-22-01901-PHX-SRB

1 Plaintiffs ask this Court to overrule:

2 (1) a defense “global objection” to testimony from seven deposition transcripts on
3 the ground that the deponents are neither “adverse” nor “unavailable” within the meaning
4 of Rule 32, and

5 (2) more specific defense objections to certain parts of depositions, namely that
6 some questions were leading, called for a legal conclusion, or sought an answer for which
7 the witness lacked personal knowledge or foundation.

8 *See* Doc. 624.

9 The State and Attorney General do not oppose Plaintiffs’ motion regarding the
10 defense “global objection” regarding the adversity and unavailability of deponents.

11 However, the State and Attorney General oppose Plaintiffs’ motion regarding more
12 specific defense objections. Context is needed to evaluate whether a particular question
13 is improperly leading, calls for a legal conclusion, or seeks an answer for which the
14 witness lacks personal knowledge or foundation.

15 Moreover, at Plaintiffs’ request, the State and Attorney General have been
16 reviewing specific objections to deposition testimony in the hopes that some objections
17 can be voluntarily withdrawn. Indeed, the State and Attorney General have already
18 withdrawn some objections (as Plaintiffs are aware) and are continuing the review process
19 (despite the pendency of trial).

20 RESPECTFULLY SUBMITTED this 8th day of November, 2023.

21 **KRIS MAYES**
22 **ATTORNEY GENERAL**

23 By: /s/ Joshua M. Whitaker

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25 Hayleigh S. Crawford
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CERTIFICATE OF SERVICE

I hereby certify that on November 8, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of this filing to counsel of record.

By: /s/ Joshua M. Whitaker
Joshua M. Whitaker